

## CHAPTER 20

AVIATOR RETENTION BONUS★2001 ENTITLEMENT

An aviation officer entitled to aviation career incentive pay (ACIP) who makes a written agreement to remain on active duty in aviation service for at least 1 year, may be paid a retention bonus as provided in this chapter. The written agreement must be executed during the period beginning 1 January 1989 and ending on 30 September 1995 and accepted by the Secretary concerned. An aviation officer eligible under this chapter is entitled to a retention bonus in addition to any other pay and allowances to which the officer is entitled.

2002 ELIGIBILITY REQUIREMENTS

To qualify for an aviation bonus under this chapter, an officer must:

200201. Be entitled to aviation career incentive pay (ACIP);

200202. Be in a pay grade O-5 or below for Air Force officers and be in pay grade O-4 and below for Navy officers;

200203. Be qualified to perform operational flying duty;

200204. Have completed at least 6, but less than 13 years of active duty;

200205. Have completed any active duty service commitment incurred for undergraduate aviator training; and

200206. Be in an aviation specialty designated as critical by the Secretary concerned and approved.

2003 COMPUTATION

The amount of the bonus authorized under this chapter is no more than:

200301. \$12,000 for each year covered by the agreement, if the officer agrees to remain on active duty to complete 14 years of commissioned service; or

200302. \$6,000 for each year covered by the agreement, if the officer agrees to remain on active duty for 1 or 2 years.

2004 TIME OF PAYMENT

Subject to regulations of the Secretary concerned, the following applies:

200401. The term of the written agreement and the amount of payment may be prorated as long as an agreement does not extend beyond the date on which the officer would complete 14 years of commissioned service.

200402. Upon the officer's acceptance of the agreement, the total amount payable becomes fixed and may be paid in either a lump sum or in installments.

2005 RECOUPMENT

200501. Recoupment of the unearned portion of the bonus is required on a pro rata basis if the officer receiving the payment fails to complete the total period of active duty specified in the agreement, as conditions and circumstances warrant.

200502. The amount established for recoupment is for all purposes a debt owed to the United States.

200503. A discharge in bankruptcy under title 11, United States Code (reference (aj)), that is entered less than 5 years after the termination of an agreement under this section does not discharge the member signing such agreement from a debt arising under such agreement or under section 2001. This paragraph applies to any case commenced under title 11, United States Code (reference (aj)), after 1 January 1989.

200504. However, reduce the amount to be recouped by an amount equal to any reduction taken under subparagraphs 350702F or 350802D.

2006     RESTRICTION

After 31 December 1988, agreements for special pay under this chapter supersede the acceptance of agreements for special continuation pay for aviation career officers under the DoDFMR, chapter 15.

2007     COVERAGE OF PERIOD OF LAPSED AUTHORITY

During the 90-day period 30 November 1993 through 27 February 1994, officers who met eligibility requirements of this chapter any time during the period 1 October 1993 through 29 November 1993, may execute agreements. Such agreements may be accepted and deemed to have been executed by the Secretary concerned on the first date on which the officer qualified during the period of lapsed authority, 1 October 1993 through 29 November 1993.